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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,560	11/06/2006	Olle Hemmingson	1000500-000385	3806

21839 7590 05/29/2008  
BUCHANAN, INGERSOLL & ROONEY PC  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER
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PATEL, BHARAT C

ART UNIT	PAPER NUMBER
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3724

NOTIFICATION DATE	DELIVERY MODE
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05/29/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/576,560	<b>Applicant(s)</b> HEMMINGSON, OLLE	
	<b>Examiner</b> BHARAT C. PATEL	<b>Art Unit</b> 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 1,3, 6-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/20/06</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the disk, referred in claim 10 as a disk, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The disclosure is objected to because of the following informalities: On page 1, line 4, and on page 2, line 20, reference to claim 1 should be avoided.

On page 1, line 10, "the chain can move from a neutral position" is unclear as it is not clear whether the chain moves from a neutral position or not.

Appropriate correction is required.

3. Claims 1, 3 and 6-9 are objected to because of the following informalities:

In Line 2 of claim 1, "which saw chain" is believed to be in error for -- the saw chain or said saw chain --.

In Line 5 of claim 1, "which groove" is believed to be in error for -- the groove or said groove --.

In Line 4 of claim 3, "that the projects" is believed to be in error for -- that projects --.

In Line 2 of claim 6, "cross-section each" is believed to be in error for -- cross-section of each --.

In Line 2 of claim 7, "cross-section each" is believed to be in error for -- cross-section of each --.

In Line 2 of claim 8, "cross-section each" is believed to be in error for -- cross-section of each --.

In Line 2 of claim 9, "cross-section each" is believed to be in error for -- cross-section of each --.

Appropriate correction is required.

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4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the abstract contains words of legal phraseology often used in patent claims, such as "means". Also the abstract uses implied phrases such as "the invention relates to". Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear about a disk with several saw chains as to whether the applicant is referring to a disk claimed in claim 1 or it is another disk. It appears to include the same disk previously claimed in Claim 1 twice. Therefore, the claim 10 is indefinite.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

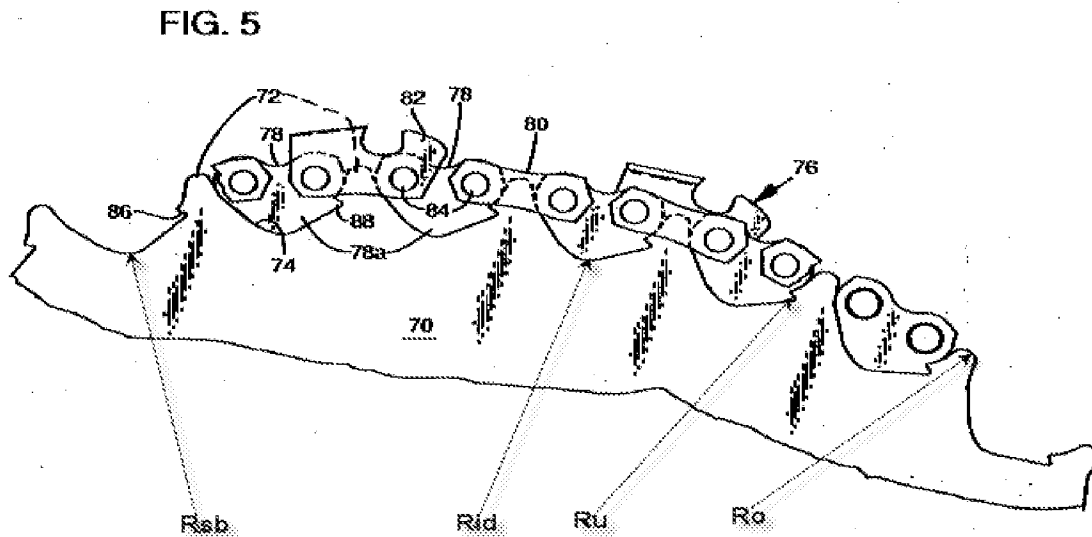
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Carlton 5,048,389.

Re claim 1, Carlton discloses disc saw blade 60 with a saw chain 76 mounted around the circumference of a circular disk 70, the saw chain 76 is provided with driving links 78, connecting links 80 and cutting links 82, wherein the chain 76 is guided by means of the driving links 78 in at least one chain groove. It should be noted that the groove is formed by plates 66, 68, and disc 72 per Fig.4 as explained in col. 3, lines 43-46. Carlton also discloses that the chain 76 is arranged around the periphery of the disk 70, against the bottom 74 of the groove, a part 78a of each driving link that projects radially inwards can make contact, in that the bottom 74 of the groove has radial projections 86 distributed around the circumference and the driving link has a cam surface 88 on the part 78a that projects radially inwards for interaction with the respective radial projection 86, and in that the chain 76 can move from a neutral position, in which the chain is loosely mounted around the circumference of the disk 70 and the part 78a of the respective driving link 78 that projects inwards is loosely inserted between two adjacent radial projections 86, to a working position, in which the chain is

tensioned around the circumference of the disk 70 and the cam surface 88 on the respective driving link is in contact with the associated radial projection 86 per Fig. 5.

Re claim 2, Carlton discloses that the cam surface 88 on each driving link 78 is designed to press the chain 76 radially outwards against the radial projection 86 by the cam effect, in such a way that, in a tensioned state, the chain is held onto the disk 70 as a result of its shape per Fig. 5 and per col. 4, lines 3-36.



Re claim 3, Carlton discloses that the length of the saw chain 76 is matched to the radius  $r_o$  of the disk 70, so that, when the saw chain is mounted, a radius  $r_{id}$  to the part 78a (bottom portion) of each driving link 78 in the chain that projects radially inwards is larger than a radius  $r_{sb}$  to the bottom of the groove 74 and less than a radius  $r_u$  to each projection 86 per modified Fig. 5 shown above. It should be noted that the equivalent markings of the radii is performed to clarify the understanding of relationship amongst various radii. As 78a portion of the driving link fits into the gulley

area 74 of the disc 70, it is apparent and inherent that area of the portion 78a is smaller. Hence, the  $R_{id}$ , distance of the bottom portion of 78a to the center of the disc 70, is greater than the  $R_{sb}$ , the distance of the bottom (valley) portion of the gulley 74 with respect to the center of the disc 70.

Re claim 4, Carlton discloses that the bottom 74 of the groove has a predetermined number of projections 86 distributed evenly around the circumference of the disk 70 per Fig. 5.

Re claim 5, Carlton discloses that the bottom 74 of the groove has one projection 86 for each driving link 78 per Fig. 5.

Re claim 6, Carlton discloses that radial cross-section of each projection 86 is lug shaped per Fig. 5.

Re claim 7, Carlton discloses that radial cross-section of each projection 86 is pyramid shaped per Fig. 5.

Re claim 8, Carlton discloses that radial cross-section of each projection 86 is dome shaped per Fig. 5.

Re claim 9, Carlton discloses that radial cross-section of each projection 86 is designed as a truncated cone that has a complementary shape to the cam surface 78a of the interacting driving link 78 per Fig. 5.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the



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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carlton in view of Bueneman 2,958,348.

Re claim 10, Carlton teaches the invention as claimed as discussed above.

However, Carlton fails to teach that, for a disk with several saw chains that run parallel, a corresponding chain groove is formed in the disk for each saw chain. Bueneman teaches that, for a disk with several saw chains that run parallel, a corresponding chain groove is formed in the disk for each saw chain per col. 1, lines 19-29.

It would have been obvious to one having ordinary skill in the art at the time of invention to provide Carlton's saw blade disk with gang type structure including multiple chain grove, as taught by Bueneman, in order to provide multiple cuts simultaneously.

Furthermore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to provide multiple disks to form a disk as a gang of multiple disks, since it is well known in the art as to use multiple disks to produce multiple cuts in order to improve productivity, since it has also been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

*St. Regis paper Co. V. Bemis Co., 193 USPQ 8.*

### **Conclusion**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BHARAT C. PATEL whose telephone number is (571)270-3078. The examiner can normally be reached on Monday-Friday, alt. Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 24502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bharat C Patel/

Examiner, Art Unit 3724

May 22, 2008.

/Boyer D. Ashley/

Supervisory Patent Examiner, Art Unit 3724